

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

United States District Court  
Southern District of Texas  
FILED

JUL 30 2013

UNITED STATES OF AMERICA

§

David J. Bradley, Clerk of Court

v.

§

JOSE LUIS ZUNIGA-HERNANDEZ  
aka: Wicho, Commandante Wicho  
and XW

§

§

§

Criminal Number #

B - 13 - 62

§

ARMANDO ARIZMENDI-HERNANDEZ

§

aka: Mando, XW-2 and  
Commandante Mando

§

LUIS IVAN NINO-DUENES

§

aka: Machin and XW-13

§

Partially Unsealed 9/9/13  
SEALED  
INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

From at least in or about January 2002 to on or about up to and including the date of this indictment, in the Southern District of Texas and elsewhere within the jurisdiction of the Court,

**JOSE LUIS ZUNIGA-HERNANDEZ**  
aka: Wicho, Commandante Wicho and XW

**ARMANDO ARIZMENDI-HERNANDEZ**  
aka: Mando, XW-2 and Commandante Mando  
**LUIS IVAN NINO-DUENES**  
aka: Machin and XW-13

defendants herein, did knowingly and intentionally conspire and agree together and with persons known and unknown to the grand jury, to possess with intent to distribute controlled substances. The overall scope of the conspiracy involved 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and 1,000 kilograms or more of a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 846, 841(a)(1) and 841(b)(1)(A).

**COUNT TWO**

From at least in or about January 2002 to on or about up to and including the date of this indictment, in the Southern District of Texas and elsewhere within the jurisdiction of the Court,

**JOSE LUIS ZUNIGA-HERNANDEZ**  
aka: Wicho, Commandante Wicho and XW

**ARMANDO ARIZMENDI-HERNANDEZ**  
aka: Mando, XW-2 and Commandante Mando  
**LUIS IVAN NINO-DUENES**  
aka: Machin and XW-13

defendants herein, did knowingly and intentionally conspire and agree together and with persons known and unknown to the grand jury, to import into the United States from the United Mexican States controlled substances. The overall scope of the conspiracy involved 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and 1,000 kilograms or more of a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 952(a), 960(a)(1) and (b)(1), and 963.

**NOTICE OF CRIMINAL FORFEITURE**

Pursuant to 21 U.S.C. § 853(a), the United States gives notice to the defendants:

**JOSE LUIS ZUNIGA-HERNANDEZ**  
aka: Wicho, Commandante Wicho and XW

**ARMANDO ARIZMENDI-HERNANDEZ**  
aka: Mando, XW-2 and Commandante Mando  
**LUIS IVAN NINO-DUENES**  
aka: Machin and XW-13

that upon conviction of a conspiracy in violation of 21 U.S.C. § Sections 846, 841(a)(1) and 841(b)(1)(A) as alleged in Count 1, and a violation of 21 U.S.C. § 952(a), 960(a)(1) and (b)(1), and 963, as alleged in Count 2, the following property, whether real or personal, is subject to forfeiture:

- (1) all property constituting or derived from any proceeds obtained directly or indirectly as the result of such offenses, and
- (2) all property used or intended to be used in any manner or part to commit or to facilitate the commission of such offenses,

The property subject to forfeiture includes, but is not limited to the following property:  
Approximately \$250,000,000.00 in United States currency.

Defendant is notified that a money judgment may be imposed equal to the value of the property subject to forfeiture.

**Substitute Assets**

Defendants are notified that in the event the property subject to forfeiture, as a result of any act or omission of the defendant:

- (1) cannot be located upon exercise of due diligence,
- (2) has been placed beyond the jurisdiction of the Court,
- (3) has been transferred to, sold to, or deposited with a third party,
- (4) has been substantially diminished in value, or
- (5) has been commingled with other property which cannot be divided without difficulty,

the United States will seek to forfeit any other property of the defendant up to the value of the property subject to forfeiture, pursuant to Title 21 United States Code, Section 853(p).

A TRUE BILL:

FOREPERSON OF THE GRAND JURY

KENNETH MAGIDSON  
UNITED STATES ATTORNEY

Richard A. [Signature] FOR:  
ANGEL CASTRO  
Assistant United States Attorney